

ADVISORY OPINION 94-013

Any advisory opinion rendered by the registry under subsection (1) or (2) of this section may be relied upon only by the person or committee involved in the specific transaction or activity with respect to which the advisory opinion is required. KRS 121. 135(4).

September 20, 1994

Mr. Sam Burchett
408 Hart Road
Lexington, Kentucky 40502

Dear Mr. Burchett:

Thank you for contacting the Registry of Election Finance. Based on the information you have provided to the Registry in your letter and by telephone, the facts applicable to your request for an advisory opinion may be stated as follows:

You serve on the 6th Congressional District Republican Committee. At this time, the committee is not involved in fundraising nor does it make financial contributions to any Republican candidates. The 6th Congressional District Committee's primary responsibility is to support and recruit Republican candidates for federal or state office. Moreover, under the Kentucky Republican Official Rules, Section 3.10, which were furnished to the Registry, congressional district committees are responsible for filling public office vacancies previously held by a Republican.

Based on the information provided, your question may be stated as follows:

Whether Republican congressional district committees in Kentucky are required to file a financial report with the Registry pursuant to KRS 121.180(2).

KRS 121.180(2) requires "state" and "county" executive committees to file financial reports with the Registry. However, the statute does not explicitly provide for the status of congressional districts with respect to making a financial report.

Pursuant to Section 1.04 of the Kentucky Republican Party's Official Rules, congressional districts are classified as a subordinate party organization. According to this rule, congressional district committees are "under the full authority of the Republican State Central Committee" (executive committee of the party).

As a result of the Republican Central Committee's direct and full authority over congressional districts, the "executive committee" provision of KRS 121.180(2) would appear to encompass congressional districts. Thus, the "state executive" committee must file a report with the Registry concerning the contributions made by congressional district committees to Republican candidates.

If you should have any more questions, please give us a call. Thank you.

Sincerely,

Rosemary F. Center
General Counsel

RFC/db